

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Siobhan Reaves, Jasmine Patrice,)
Emanuel Reaves, and Kathy Reaves,)

Case No.: 4:24-cv-05622-JD-TER

Plaintiffs,)

vs.)

ORDER AND OPINION

Michael Stephen Shoemaker, Hotel)
Medlin, LLC, Cpl. Wesley Walker, Lt.)
Trevor Hall, City of Cayce (Lexington)
County), City of Cayce Police)
Department,)
Defendants.)


This matter is before the Court on the Report and Recommendation (“Report”) of United States Magistrate Judge Thomas E. Rogers, III, issued on December 30, 2024 (DE 19), recommending dismissal of this action without prejudice due to Plaintiffs Siobhan Reaves, Jasmine Patrice, Emanuel Reaves, and Kathy Reaves’ (“Plaintiffs”) failure to comply with the Court’s prior orders. Specifically, Plaintiffs failed to file an amended complaint and failed to submit Form USM-285s, as directed in prior court orders (DE 11). The record reflects that these orders were mailed to Plaintiffs and were not returned, creating the presumption that Plaintiffs received them but failed to comply.

The Court has both inherent authority and authority under Rule 41(b) of the Federal Rules of Civil Procedure to dismiss an action for failure to prosecute or failure to comply with court orders. *See Link v. Wabash R. Co.*, 370 U.S. 626, 630–31 (1962); *Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989).

Plaintiffs were advised of their right to file objections to the Report (DE 19), but no objections were filed within the time permitted. In the absence of specific objections, the Court has reviewed the Report for clear error and finds none. *See Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

Accordingly, the Court hereby **ADOPTS** the Report and Recommendation (DE 19) in full. This action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute and failure to comply with court orders. Any pending motions are deemed MOOT.

IT IS SO ORDERED.



Joseph Dawson, III
United States District Judge

Florence, South Carolina
June 2, 2025

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order within thirty (30) days from this date under Rules 3 and 4 of the Federal Rules of Appellate Procedure.